

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 2 and 4-19 are pending. Claims 1, 2, 9-12 and 17-19 are independent and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

### **II. SUPPORT FOR AMENDMENT IN SPECIFICATION**

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraph [0084] of Applicant's corresponding published application.

By way of example and not limitation:

[0084] The state SD indicates that an error with a predetermined level or higher, such as a packet error, has occurred in the RTP (**RTP included in the multiplexed signal of the RTP and the RTCP**) transmitted from the transmission apparatus 11 and received by the reception apparatus 13 via the network 12. It is noted, however, that the transmission apparatus 11, even in the state SD, **transmits a multiplexed signal of the RTP and RTCP**

and periodically transmits the RTCP in the same manner as in the state SB.

### III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-2, 4, 5, 7-13 and 15-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over EPO Publication No. EP1178631 to Kageyama et al. (hereinafter, merely “Kageyama”) in view of U.S. Patent No. 5,600,663 to Ayanoglu et al. (hereinafter, merely “Ayanoglu”).

Claims 6 and 14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Kageyama in view of Ayanoglu, further in view of U.S. Patent No. 7,287,201 to Nagai et al. (hereinafter, merely “Nagai”).

Claim 1 recites, *inter alia*:

...for changing the second state of transmission means to a fourth state indicating that the transmission means is permitted to transmit **a multiplexed signal including the main information with an error packet and the first control information** to the information reception apparatus via the network, when the second control information indicates that an error has occurred in the received information... (Emphasis added)

Applicant submits that neither Kageyama nor Ayanoglu, taken alone or in combination, would disclose or render predictable the above-identified features of claim 1. Specifically, neither of the references used as a basis for rejection discloses or renders predictable “a fourth state indicating that the transmission means is permitted to transmit a **multiplexed signal including the main information with an error packet and the first control information** to the information reception apparatus via the network, when the second

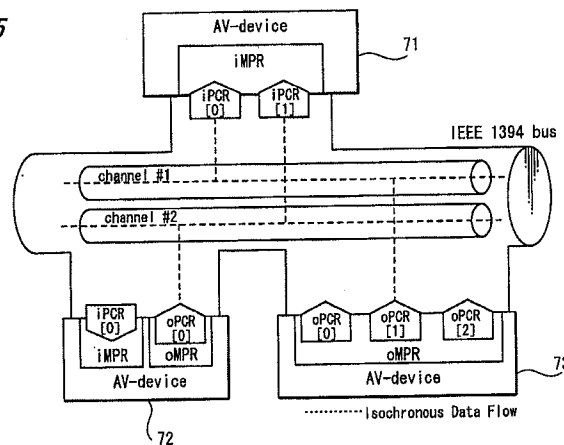
control information indicates that an error has occurred in the received information,” as recited in claim 1.

Specifically, the Office Action (see page 6) asserts that Kageyama discloses a multiplexed signal, and refers to Kageyama, paragraph [0092] and Fig. 15, which are reproduced as follow:

*Kageyama, paragraph [0092]:*

[0092] As an example of use of notify command, for example, it may be notified when there is a change in the state of use in the channel and band on the bus line. That is, as mentioned above, on the IEEE1394 bus line, data is transmitted by connecting with other apparatus by using a specific channel and band, but it is only the connected apparatus that is capable of canceling the connection and releasing the channel in an idle state. Therefore, if there is other apparatus intending to use the corresponding channel, a notify command may be sent to the connected apparatus, requesting to notify when releasing process of the corresponding channel and band is executed.

FIG. 15



Kageyama discloses transmitting video data on the IEEE 1394 bus line, and also discloses transmitting a notify command on the IEEE 1394 bus line. However, multiplexing is a process where multiple analog message signals or digital data streams **are combined into one signal** over a shared medium, and nothing has been found in Kageyama that discloses the video

data and the notify command are combined into one signal and then transmitted on the IEEE 1394 bus line. Thus, Kageyama fails to disclose or render predictable “a fourth state indicating that the transmission means is permitted to transmit **a multiplexed signal including the main information with an error packet and the first control information** to the information reception apparatus via the network, when the second control information indicates that an error has occurred in the received information,” as recited in claim 1.

Furthermore, this deficiency of Kageyama is not cured by the supplemental teaching of Ayanoglu.

Therefore, Applicant submits that independent claim 1 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 2, 9-12 and 17-19 are also patentable, and Applicant thus respectfully requests reconsideration of the rejections thereto.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicant thereby respectfully requests reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

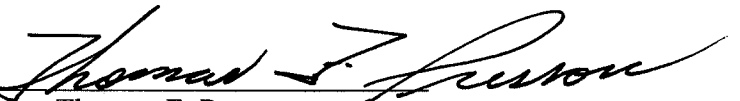
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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